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With House Democrats making new threats to eliminate billions of dollars of earmarks in its endgame sparring with the White House, a decision to ignore an inconvenient vote on pork in negotiations over the intelligence bill last week could come back to haunt Democrats.

Amid final House and Senate conference negotiations on the fiscal 2008 intelligence authorization measure, most Democrats voted Dec. 4 against a non-binding motion instructing members to eliminate all earmarks from the bill and redirect the money toward human intelligence capabilities. But 62 Democrats defected and backed the GOP motion, which passed 249-160.

"Motions to instruct don't mean nothing," Rep. John Murtha (D-Pa.) said Tuesday when asked about whether he was concerned about how many Democrats crossed the aisle to support the GOP bill.

The non-binding measure, offered by Intelligence ranking member Pete Hoekstra (R-Mich.), was a motion to instruct House conferees to work "to the maximum extent possible" to remove earmarks from the intelligence measure.

A surprising number of prominent Democratic committee chairmen, including Appropriations's David Obey (Wis.), Ways and Means's Charles Rangel (N.Y.), Budget's John Spratt (S.C.), Transportation and Infrastructure's James Oberstar (Minn.) and Energy and Commerce's John Dingell (Mich.), joined 15 vulnerable Frontline Democrats in voting for the Hoekstra motion.

Democrats in tough races who supported the motion included Reps. John Barrow (Ga.), Melissa Bean (Ill.), Joe Donnelly (Ind.), Chet Edwards (Texas), Brad Ellsworth (Ind.), Gabrielle Giffords (Ariz.), John Hall (N.Y.) Baron Hill (Ind.), Ron Klein (Fla.), Nick Lampson (Texas), Jim Marshall

(Ga.), Jerry McNerney (Calif.), Patrick Murphy (Pa.), Zack Space (Ohio), and Tim Walz (Minn.).

“The majority has promised more accountability on how the taxpayer dollars are spent and we intend to hold them on it,” House Minority Leader John Boehner (R-Ohio) said Tuesday.

With the motion to instruct vote, House Republicans were specifically targeting a \$23 million earmark sponsored by Murtha for the National Drug Intelligence Center, a controversial Justice Department program located in Johnstown, Pa., which lies in his district. In May, House Republicans led an effort to strip the earmark from the bill when the House first voted on the measure.

Murtha later threatened to block any future earmarks from Rep. Mike Rogers (R-Mich.), who proposed eliminating the center, according to remarks that Rogers placed in The Congressional Record. When Republicans protested and called for an ethics investigation, Murtha apologized.

Murtha has called the center an “asset to our intelligence community and an effective fighter” against drugs.

The intelligence bill has about \$100 million in earmarks, including some from Republicans. Rep. Ralph Hall (R-Texas), for instance, succeeded in securing \$6.2 million for upgrades to the RC-135, a military surveillance jet.

Democratic aides also pointed out that even some of the top GOP recipients of earmark largesse, including Rep. Jerry Lewis (R-Calif.), the ranking member on Appropriations, supported the motion to instruct. If it were binding, they said, it never would have received the support it did.

They also said that Republicans regularly ignored motions to instruct during conference negotiations when they were in power.

But the stakes are high in the battle over earmarks. Lewis has a number of earmarks in the intelligence portion of the Defense spending bill, including \$3.2 million for airborne commercial radar mapping and another \$2.4 million for geo-spatial intelligence analysis education.

House Minority Whip Roy Blunt (R-Mo.) has \$4.8 million pending for a program designated as “carbon nanotube-based radiation hard non-volatile ram.”

But Boehner spokesman Brian Kennedy said Democrats are far more vulnerable on the issue because of the promises they made to crack down on pork earlier this year.

“On the fiscal discipline issue, it’s hard to keep the number of promises broken straight, whether it’s the overall spending picture, earmarks or the blatant disregard for the will of the House spoken in the motion to instruct last week,” said Kennedy.

**Rep. John Campbell (R-Calif.), who regularly targets Democratic and GOP earmarks alike, said the motion to instruct was an important victory, demonstrating just how fearful Democrats are in getting caught on the wrong side of the issue.**

**“I think they recognize that this is a bad thing,” he said. “This vote is not going to look good in tough districts.”**

Rep. Jeb Hensarling (R-Texas), another earmark hawk, said the motion to instruct is a clear indication that Democrats are vulnerable on the spending and earmark issue.

“It shows that the Speaker is not following through on her promises,” he said. “It’s the Republicans that are having to bring transparency to the process.”